

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

NATHANIEL JOHNSON,  
Plaintiff,  
vs.  
CHERYL, *et al.*,  
Defendants.

Case No. 2:11-cv-00291-JCM-GWF  
**SCHEDULING ORDER FOR  
CIVIL RIGHTS ACTIONS FILED  
BY INCARCERATED PRO SE  
PLAINTIFF**

Pursuant to Federal Rules of Civil Procedure (Fed. R. Civ. P.) 16(b) and Local Rule (LR) 16-1 this Scheduling Order shall be filed and served upon the parties or their counsel, if there is counsel of record, when the first defendant answers or otherwise appears in this action. When the term “counsel” is used in this Scheduling Order, it shall include any and all parties appearing pro se.

**IT IS HEREBY ORDERED:**

1. Any and all pleadings that may be brought under Fed. R. Civ. P. 13 & 14, or joining additional parties under Fed. R. Civ. P. 19 & 20, shall be filed within **sixty (60) days** from the date of this Order: **August 29, 2011**. Any party causing additional parties to be joined or brought into this action shall contemporaneously therewith cause a copy of this Order to be served upon the new party or parties.

2. Amendments to pleadings as provided for under Fed. R. Civ. P. 15, if the same are allowed without leave of court, or motions for leave to amend, shall comply with LR 15-1 and shall be filed and served within **sixty (60) days** from the date of this Order: **August 29, 2011**.

3. Any discovery motions shall be filed and served no later than **eighty (80) days** from the date of this Order: **September 19, 2011**.

1           4.       Motions for summary judgment shall comply with the requirements of LR 56-1 and  
2 shall be filed and served no later than **thirty (30) days after the close of discovery: October 31,**  
3 **2011.**

4           5.       Any motion filed beyond the time limit fixed by this Scheduling Order shall be  
5 stricken, unless the Court grants an exception for good cause shown.

6           6.       **DISCOVERY:** Pursuant to LR 16-1(b), discovery in this action shall be completed  
7 on or before **ninety (90) days** from the date of this Order: **September 28, 2011.**

8           7.       **EXTENSIONS OF DISCOVERY:** Pursuant to LR 26-4, an extension of the  
9 discovery deadline will not be allowed without a showing of good cause. All motions or  
10 stipulations to extend discovery shall be received by the Court at least **twenty (20) days** prior to the  
11 date fixed for completion of discovery by this Scheduling Order, or at least **twenty (20) days** prior  
12 to this expiration of any extension thereof that may have been approved by the Court. The motion  
13 or stipulation shall include:

14           (a)      A statement specifying the discovery completed by the parties of the date of the  
15 motion or stipulation;

16           (b)      A specific description of the discovery which remains to be completed;

17           (c)      The reasons why such remaining discovery was not completed within the time limit  
18 of the existing discovery deadline; and

19           (d)      A proposed schedule for the completion of all remaining discovery.

20           8.       In the event that the Federal Rules of Civil Procedure provide for any shorter time  
21 periods for the filing of motions or pleadings, said shorter time limits shall apply notwithstanding  
22 the time limits set forth in this Scheduling Order. Pursuant to the authority given to the Court in  
23 Fed. R. Civ. P. 16(b), motions for summary judgment under Fed. R. Civ. P. 56 must be filed no  
24 later than the time provided in paragraph 4 of this Order.

25           9.       **PRETRIAL:** Pursuant to LR 16-3(a), the Clerk shall issue a Pretrial Notice Order  
26 five (5) days past the date for filing motions for summary judgment or all motions for summary  
27 judgment are denied, whichever is later.

28       ...

1           10. Any party who desires an amendment to this Scheduling Order shall, within **sixty**  
2 **(60) days** hereof, file and serve a statement of proposed amendments and the reasons therefor.  
3 Each other party shall have **fifteen (15) days** within which to file and serve a response thereto.  
4 After expiration of the 60-day period, any amendment of this Scheduling Order shall be granted  
5 only upon motion and good cause shown.

6           11. In all cases where a party or counsel is required to effect service hereunder, a  
7 certificate of such service shall be filed forthwith with the Clerk of the Court.

8           DATED this 30th day of June, 2011.

9  
10   
11 GEORGE FOLEY, JR.  
12 United States Magistrate Judge  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28